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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC PRIORITY 8389
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHGG/UN SECURITY COUNCIL COLLECTIVE
RUEHBY/AMEMBASSY CANBERRA 1628
RUEHNE/AMEMBASSY NEW DELHI 5118
RUEHUL/AMEMBASSY SEOUL 8706
RUEHKO/AMEMBASSY TOKYO 6279
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 4126
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 2104
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 000880

SIPDIS

STATE FOR EAP AND IO; PACOM FOR FPA

E.O. 12958: DECL: 11/11/2018

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [BM](#)

SUBJECT: BURMA: SEVENTEEN ACTIVISTS GET SIGNIFICANT JAIL
TIME

REF: RANGOON 873

Classified By: Pol Officer Sean O'Neill for Reasons 1.4 (b) & (d)

SUMMARY

1. (SBU) On November 10 and 11, the regime sentenced at least 17 pro-democracy activists, including prominent opposition leaders Su Su Nwe, Nilar Thein, Jimmy (aka Kyaw Minn Yu), and blogger Nay Phone Latt, to between two and 65 years in prison. Most of the activists did not have the benefit of legal counsel at their sentencing, and the regime has denied their family members' requests to visit them since their convictions. We recommend the Department issue a statement condemning this action by the regime (see paragraphs 5 and 6).

NUMEROUS CONVICTIONS

2. (SBU) We have confirmed that on November 10 and 11, a special court at Insein prison sentenced at least 17 pro-democracy activists to between two and 65 years in prison. 14 activists were sentenced to 65 years' imprisonment under the Electronic Transactions Act (prohibiting unapproved electronic or computer transactions) and the Unlawful Association Act (which prohibits membership in any organizations not approved by the regime or otherwise deemed to be a threat to the state). These 14 activists are: Nilar Thein, Sandar Min (aka Shwee), Min Zeya, Jimmy (aka Kyaw Minn Yu), Zaw Zaw Min, Than Tin (aka Kyi Than), Zeyar (aka Kalama), Ant Bwe Kyaw, Kyaw Kyaw Htwe (aka Markie), Pandeik Htun, Thet Zaw (aka Zaukhtoe), Thin Thin Aye (aka Mie Mie), Mar Mar Oo, and Thet Thet Aung.

3. (SBU) Labor activist Su Su Nwe was sentenced to 12 years and six months' imprisonment for violating the Printers and Publishers Act (which prohibits publishing or printing any written materials without government approval) and Section 505(b) of the Penal Code (which prohibits any statement that may cause public alarm or interferes with a government official's duties). Internet blogger Nay Phone Latt received a 20 year sentence for violating the Video Act (prohibiting the creation or duplication of videos without permission), the Electronic Transactions Act, and Section 505(b). The

court sentenced poet Saw Wai to two years' imprisonment under Section 505(b) for publishing a poem that described Senior General Than Shwe as "power crazy."

NO DUE PROCESS

14. (C) Human Rights activist Maung Maung Lay, who visited Insein prison on November 11, told us that none of the 17 convicted activists had the benefit of legal counsel at their sentencing hearings. He noted that several of the detainees were clients of U Aung Thein and U Khin Maung Shein, who were recently sentenced to four months' imprisonment for contempt of court (reftel). Maung Maung Lay noted, however, that many of these detainees had voluntarily dismissed their lawyers to protest the lack of due process in their trials, and he did not expect most of them would appeal their convictions. Maung Maung Lay added that several of the detainees' family members tried to visit their relatives at Insein prison on November 11, but were turned away by authorities.

RECOMMENDED STATEMENT

15. (SBU) Given the severity of the regime's actions and the high profile of many of those sentenced, we recommend the Department issue a detailed statement condemning these convictions. We include below suggested text for this statement.

16. (SBU) Begin Text:

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The United States condemns the Burmese regime's sentencing of at least 17 political detainees to between two and 65 years' imprisonment. On November 10 and 11, a closed court at Insein prison sentenced 14 pro-democracy activists, including Nilar Thein, Sandar Min, Min Zeya, Jimmy, and Markie to 65 years' imprisonment each. It also sentenced internet blogger Nay Phone Latt to 20 years' imprisonment, labor activist Su Su Nwe to 12 years and six months' imprisonment, and poet Saw Wai to two years' imprisonment.

These 17 detainees are peaceful citizens who were convicted solely for expressing ideas the regime deems to be unacceptable. Authorities conducted their trials in a closed prison courthouse and did not allow their family members to attend. Furthermore, officials had recently jailed two lawyers who had represented several of the detainees.

We reiterate our call for the regime to cease harassing and arresting citizens for peacefully exercising their internationally-recognized human rights, begin a genuine dialogue with democratic and ethnic minority groups, and immediately release Aung San Suu Kyi and all of Burma's over 2,000 political prisoners, including those convicted on November 10 and 11: Nilar Thein, Sandar Min (aka Shwee), Min Zeya, Jimmy (aka Kyaw Minn Yu), Zaw Zaw Min, Than Tin (aka Kyi Than), Zeyar (aka Kalama), Ant Bwe Kyaw, Kyaw Kyaw Htwe (aka Markie), Pandeik Htun, Thet Zaw (aka Zaukhtoe), Thin Thin Aye (aka Mie Mie), Mar Mar Oo, Thet Thet Aung, Nay Phone Latt, Su Su Nwe, and Saw Wai.

End Text.
DINGER